

For Immediate Release
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Small Business Organization Supports Effort to Halt EPA Overreach on Wage Garnishment

August 13, 2014(Lansing) – - The state's leading small business organization, the National Federation of Independent Business (NFIB), praised action today by Senator Tom Casperson (R-38) to head off a proposed rule that would allow the Environmental Protection Agency (EPA) to garnish wages.

At a hearing today of the Senate Natural Resources Committee, Upper Peninsula Senator Tom Casperson discussed Senate Resolution 168 and Senate Concurrent Resolution 20 that call upon Congress to halt EPA's attempt to proceed with the wage garnishment rule. Senator Casperson sponsored both Resolutions.

Earlier this summer, the EPA attempted to slip through a rule change via a "fast-track" procedure that would allow it to garnish the wages of anyone that owed them fine and penalty money without a court order. For the time being the EPA has abandoned the easy route of a "fast-tracked" rule on the wage garnishment idea as a result of criticism from Congress and others. However, the agency indicated that they still intend to pursue the new authority to garnish wages without a court order through the established longer review process.

"Apparently the EPA's idea of due process in their new rule is that the hapless victim could still argue over how much and how often the agency could confiscate their pay," said NFIB State Director Charlie Owens. "This is an agency that does not need any more power and serious inquiry is needed into the abuse of power they have already been granted."

Owens said that he is aware of arguments by apologists for the EPA that the wage garnishment regulation, under which EPA sought their new rule, is no different than similar rules on the books for other federal agencies including the U.S. Postal Service.

"If this is the case then perhaps we should be looking into the powers granted to these other agencies to determine if they are appropriate as well," said Owens. "It also seems unlikely that the postal service is out and about levying fines on anyone whose mail box post is an inch shorter than regulations require, however, the EPA has a well-documented trail of abuse of power when it comes to over the top fines on average citizens that they claim are violating any of its' volumes of rules and regulations."

Owens cited the case of a Wyoming property owner threatened by the EPA with fines of \$75,000 per day for building a pond on his rural property that the agency claims is in violation of the Clean Water Act.

"There are many other examples of overreach and abuse by this agency under the current administration," said Owens.

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